THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.6949 OF 2007

Dated 12th April 2007

Between:

K.Bala Mallikarjuna Chetty & others

…Petitioners

and

The Sub-Registrar, Kadapa.

…Respondent

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.6949 OF 2007

O R D E R:

The petitioners presented a sale deed, dated 25.9.2006, for registration, before the respondent. When the same was not admitted for registration, they approached this court, by filing W.P.No.21537 of 2006. The writ petition was disposed of on 18.10.2006, directing the respondent, to accept the document and consider the same, for registration. It is stated that, pursuant to the said direction, the respondent registered the document on 15.11.2006. The grievance of the petitioners is that the document has not been released, on the ground that there is no specific direction.

Heard the learned counsel for the petitioners and learned Government Pleader for Revenue.

Any objection can be taken by a Registering Authority, only

before a document is admitted for registration. Once the document is registered, it has to be released to the concerned party, and the question of withholding the same, does not arise. Neither the Registration Act, nor the Stamp Act, provide for such a course. There is absolutely no justification, on the part of the respondent, in returning the document, even after registration.

The writ petition is accordingly allowed, and the respondent is directed to release the document, to the concerned person, after due identification. There shall be no order as to costs.

12th March 2007

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